IN RE: PETITION FOR ZONING VARIANCE * NW/S Langport Avenue, 334'+/-SW of the c/l of Wise Avenue * DEPUTY ZONING COMMISSIONER (1762 Langport Avenue) 12th Election District OF BALTIMORE COUNTY 7th Councilmanic District Case No. 88-339-A

Daniel J. Bialecki, et ux

Petitioners

MEMORANDUM AND ORDER

* * * * * * * * *

The Petitioners herein request a variance to permit a front yard setback of 17 feet in lieu of the required 25 feet for a proposed addition, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and testified. Mr. David Walenge, a representative with Patio Enclosures, Inc., appeared and testified on behalf of the Petition. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted. it is the opinion of the Deputy Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Deputy Zoning Commissioner, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Harch, 1988 that a front yard setback of 17 feet in lieu of the required 25 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance

THIS DEED OF ASSIGNMENT, Made this 3/5/ day of October, it ar one thousand nine hundred and fifty-eight, by and between the D BUILDING COMPANY, a body corporate of the State of Maryland, party of part, and DANIEL J. BIALECKI and MARY M. BIALECKI, his wife, of Baltimore County, State of Maryland, parties of the second part.

WITNESSETH, That in consideration of the sum of Five (\$5.00) Do and other good and valuable considerations, the receipt whereof is hereby knowledged, the said Dunwood Building Company does grant and convey unto said Daniel J. Bialecki and Mary M. Bialecki, his wife, as tonants by the tireties, their assigns, the survivor of them and the personal repre and assigns of the survivor, all that lot or parcel of ground situate, lying and being in Baltimore County, State of Maryland aforegaid, and describ

BEING that lot or parcel of ground known as lot No. 92, Block "C" is shown on a plat entitled Resubdivision Part of Block "C". Plat 2; Easterest; which said plat is duly recorded among the Land Records of Baltimore County in which said plat is duly recorded among the Land Records of Baltimore County in No. 1762 Langport Avenue. Subject to restrictions of record.

REING the same lot or parcel of ground which by an assignment dated among the Land Records of Baltimore County in September 12, 1958 and recorded among the Land Records of Baltimore County in restrictions of record.

BEING also the first described parcel of ground in a lease dated restrictions of record.

BEING also the first described parcel of ground in a lease dated liber G.L.B. No. 3413 folio 663 from Charlcote Land Company to the Saratogs in Holding Company. TOGETHER with the buildings thereupon, and the rights, alleys

waters, privileges, appurtenances and advantages thereto belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premisunto and to the use and benefit of the said Daniel J. Bislecki and Mary N. Bislecki, his wife, as tenants by the entireties, their assigns, the at

the residue of the term of years yet to come and unexpired

is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time ... the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> ANN M. NASTAROWICZ Deputy Zoning Commissione of Baltimore County

AMN:bjs

Bundred Eight (\$108.00) Dollars, payable half yearly on the first days of Soptember and March in each and every year, accounting from the first day of Soptember, 1958.

AND the said party of the first part hereby covenants that it has

not done or suffered to be done any act, matter or thing whatscover, to encumber the property hereby conveyed; that it will warrant specially the proporty hereby granted; and that it will execute such further assurances of the same 'ss may be requisite.

WITNESS the signature of the said Dunwood Building Company, by the and of Robert E. Meyerhoff, President of the said Corporation, and its.

STATE OF MARYLAND, BALTIMORE COUNTY, to with

I HEREDI CERTIFY, that on this 3/5 day of October, 14 the year one thousand nine hundred and fifty-eight, before me, the subscriber, a tary Public of the State of Maryland, in and for the County aforesaid, perally appeared Robert E. Meyerhoff, President

Dunwood Building Company, and he acknowledged the aforegoind Deed to be the act of the said body corporate.

AS WITHESS my hand and Notarial Seal.

(1762 Longsort Avecual 12th Election District 7th Councilmanic District Deniel J. Biologii, et ex DATE/TIME: FRIDAY, MARCH 4, 1968 or 2:96 p.m. FOR SNOW DATE CALL 494-3391 back of 17 feet in lies of the required 25 feet. in the event that this Putition is granted, a building permit may be issaid within the thirty (30) day appea period. The Zaving Commissioner will however, entertain any request for a

> date of the hearing and above or prosented at the hearing.

stay of the issuance of said permit during this period for good cause

shows. Such request must be as und ing and received in this uffice by the

The Zoring Commissioner of Basis

more County, by authority of the Zon ing Act and Regulations of Baltimore County will hold a public hearing an

106 of the County Office Building, lo-

334 meredaes of E. Wine Avenue

cated at 111 W. Chasapoolis Aveni

Case number: \$8-338-A #W/S Longport Avenue.

PETITION FOR ZONING VARIANCE

88-339-X TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a second made a part hereof, hereby petition for a second made a part hereof. Variance from Section 303.1 (1802.3C1), to permit a frontyard setback 4A ... of 17 feet in lieu of the required 25 feet..... of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for following reasons: (indicate hardship or practical difficulty)

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns. 2. Insulate and reduce heating bills.

3. Reduce outside noise. 4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flys, etc. 5. Improve appearance of house.

Property is to be posted and advertised as prescribed by Zoning Regulations. Lor we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: BIALECKI (Type or Print Name) I A Bulacke MARY M. BIALECKI Mary M. Binleaki City and State \ttorney for Petitioner: 1762 Langport Ave. 282-1328 (Type or Print Name)

Dundalk, Md. 21222 City and State Patio Enclosures, Inc. City and State 224 8th Ave., N.W. 760-1919 Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day County, on the _____ day of ______ 19.5%, at _____ o'clock

LSTIMATED LENGTH OF HEARING (-1/24R.)

AVAILABLE FOR HEARING

NEXT TWO HONTHS

Zoning Commissioner of Bakimore County.

ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 2/18/88 Positioner: Q721el I. Bialecki, et us

Location of property: NW/S Langer post 1/xe, 334 tf N 1818 e 1/4.

1762 Long for T. 1820 Location of Signer Forcing Language Liver good serve 20' Fr to dury

Posted by Date of return: 7/19/89 CERTIFICAT! F PUBLICATION

> OFFICE OF Dundalk Eagle

4 N. Center Place P. O. Box 8936 Dundalk, Md. 21222

February 11, 1988

THIS IS TO CERTIFY, that the annexed advertisement of Robert Haines in the matter of Zoning Hearings -Case #88-339-A - P.O. #97386 - Req. #M1077 - 74 line \$29.60. Was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week SUCCESSIVE weeks before the 12th day of February 19 88; that is to say,

the same was inserted in the issues of Feb. 11, 1988

Kimbel Publication, Inc. per Publisher. LEGAL DESCRIPTION OF PROPERTY

Beginning on the Northwest side of Langport Avenue, 60' wide, at the distance of 334'; southwest of the center line of Wise Avenue. Being Lot 92, in the subdivision of Eastcrest. Book No. 24, Folio 096.

Also, known as 1762 Langport Avenue, in the 12th Election District.

March 8, 1988

Hr. Daniel J. Bialecki 1762 Langport Avenue Baltimore, Maryland 21222

RE: Petition for Zoning Variance NW/S Langport Avenue, 334'+/- SW of the c/1 of Wise Avenue 12th Election District - 7th Councilmanic District Case No. 88-339-A

Dear Mr. Bialecki:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Roard of Appeals. for further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Enclosures

cc: Mr. David Walenge Patio Enclosures, Inc. 224 8th Avenue, R.W. Glen Burnie, Maryland

People's Counsel

THE SNOW DATE CALL HASTY!

Variance to partial a trority and art-tack of 17 feet in hou of the required

25 fact.

In the event that this Petition is granied, a busiding permit may be maned within the thety (30) day appear permit. The Zaning Commissioner will, however, entertain any request for a stay of the tanance of each press during this period fare good cause aboves. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

I ROBERT HAINES

CERTIFICATE OF PUBLICATION

TOWSON, MD., FLB. 11 1953

NOTICE OF HEARING THIS IS TO CERTIFY, that the annexed advertisement was more County, trill hold a publi-hearing on the property identified beyon in Room 10s of the County Office Striking, located at 111 W Chesapeake Avenue in Brussen Maryland as follows: Case runnber: 85-335-A NW/5 Langport Avenue, 336° 2° of N. Who Avenue (1762 Langport Avenue) published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, M.I., appearing on Feb. 11 . 19.88

THE JEFFERSONIAN,

Sugar Semploner Ochrest

12718

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 14th day of December , 1988.

Chairman, Loning Plans Fetitioner Baniel J. Bialocki, et ux Received by: Petitioner's Advisory Committee Attorney

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

December 14, 1987

FEB. 23 1988

Dennis F. Rasmussen
County Executive

Mr. Daniel J. Bialecki 1762 Langport Avenue Dundalk, Maryland 21222

RE: Daniel J. Bialecki, et ux NW/S Langport Avenue, 334' + c/1 M. Wise Avenue (1762 Langport Avenue) Petition for Zoning Variance Case No. 88-339-A

Dear Mr. Bialecki:

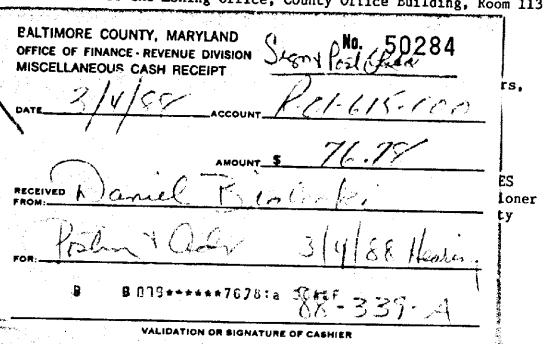
Please be advised that 11.7% is due for advertising and posting of the above-referenced propercy. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

20'

LANGFORT AVE



PLAT FOR ZONING

TO E OF WISE AVE

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case number: 88-339-A NW/S Langport Avenue, 334'± c/1 N. Wise Avenue (1762 Langport Avenue) 12th Election District - 7th Councilmanic District Petitioners: Daniel J. Bialecki. et ux
DATE/TIME: THIKSDAY, MARCH 4, 1988 at 2:00 p.m.

Variance to permit a frontyard setback of 17 feet in lieu of the

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Zoning Commissioner of Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines December 23, 1987 Dennis F. Rasmussen County Executive Mr. Daniel J. Bielecki 1762 Langport Avenue Dundalk, Maryland 21222 Re: Hearing Notice Correction Dear Mr. Bialecki: In reference to Case Number: 88-339-A , please note that the Hearing Notice should read as follows: DAY: Friday DATE: __March 4, 1988 No. 45662 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 11-17-87 PROBLEM PILL ENCLESION 100

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and bright his of a factorist for the perposa of the s the end there must be a respective to the distinction of a state of the distinction of a state of the state o BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

VALIDATION OF SIGNATURE OF CASHIER The state of the s

> Mr. Daniel J. Bialecki 1762 Langport Avenue Dundalk, Maryland 21222

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Meryland 21204

MEMBERS

Building Department

Zoning Administration

Board of Education

Bureau of State Roads Commission Bureau of Fire Prevention Health Department Project Planning

Dear Mr. Bialecki: The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

February 18, 1988

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, Chairman Zoning Plans Advisory Committee

RE: Item No. 184 - Case No. 88-339-A Petitioner: Daniel J. Bialecki, et ux

Petition for Zoning Variance

JEDikkb Fnclosures

cc: Paulo Enclesures, Inc. 224 8th Avenue, N.W. Glen Burnie, Maryland 21061

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Ealtimore County Office Building Towson, MD 21204 Re: Property Owner: Daniel J. Bialecki, et ux Location: NW/S Langport Ave., 33' +- c/1 N. Wise Avenue Item No.: 184 Zoning Agenda: Meeting of 12/1/87 Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

December 9, 1987

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department () 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition

() 6. Site plans are approved, as drawn.

Baltimore County Fire Department

494-4500

Paul H. Reincke

Towson, Maryland 21204-2586

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Cart I respect to Division

Noted and Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFF

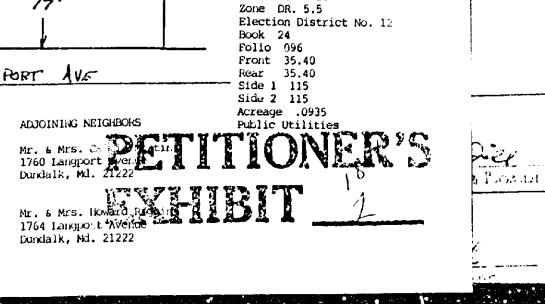
INTER-OFFICE C	ORRESPONDENCE
Mr. J. Robert Haines TO ZORING Commissioner P. David Fields FROM Director of Planning and Loning	DateJanuary 14, 1988
Zoning Petition Nos. 38-325-A. SUBJECT 88-327-SPH, 88-330-A, 88-334-A	88-326-A.

There are no comprehensive planning factors requiring comment on this

P. David Filds per J. Hoen P. David Fields

PETITIONER(S) EXHIBIT (





Bialecki, Daniel & Mary 1762 Langport Avenue Dundalk, Md. 21222

Subdivision: Eastcrest

Lot No. 92

Scale 1' = 20'

